

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

YADKIN RIVERKEEPER, INC., AND)
WATERKEEPER ALLIANCE, INC.,)
)
Plaintiffs,)
)
v.)
)
DUKE ENERGY CAROLINAS, LLC,)
)
Defendant.)
_____)

EXHIBIT 4
TO
COMPLAINT

AFFIDAVIT OF CHARLES WADE MELTON

Charles Wade Melton, being first duly sworn, deposes and says:

1. My name is Charles Wade Melton. I have personal knowledge of the matters stated herein. I am over 18 years of age. I live in Lexington, North Carolina.

2. I am a software developer, specializing in transportation software. I have owned my own company for almost thirty years.

3. I have lived on High Rock Lake since 1995. My home is on Waterford Pointe Road, on the Waterford Pointe shore of High Rock Lake downstream from the Buck facility. I share my home with my wife.

4. I have been an active member of the Yadkin Riverkeeper since 2011. I joined the group due to my interest in issues facing High Rock Lake. The Yadkin Riverkeeper is the only environmental group of which I am a member.

5. I have actively worked with the Yadkin Riverkeeper since becoming a member. In particular, I regularly speak publically about issues facing High Rock Lake, including water quality.

6. I personally use the waterways downstream from the Buck site.

7. I chose to purchase my home on High Rock Lake specficially because I wanted to make use of and enjoy proximity to the lake.

8. My wife and I make daily use of the lake when the weather is nice. We enjoy using our pontoon boat on the lake and enjoying the scenery and wildlife.

9. I have two grown children and three grandchildren (ages 13, 11, and 7) who regularly visit our home. We enjoy taking them out on the lake as well. We regularly take them to coves along the lake to swim and fish. We also often take them water skiing.

10. . I understand and am concerned about the negative health effects of exposure to high levels of toxins such as such as mercury, lead, arsenic, and PCBs, which are all contained in the coal ash being held upstream at the Buck facility and which are discharging from the coal ash ponds into the lake. I am aware that High Rock Lake is classified a “303(d)” impaired resource water. As such, I am concerned about the injuries I may incur as a result of my use of and proximity to the lake..

11. I am also aware that High Rock Lake is considered the watershed’s most threatened section and worry that the Buck coal ash pond is adding to the threat. I am aware that High Rock Lake retains large amounts of sediment, and worry that the toxins from the Buck coal ash pond may be contained in that sediment.

12. I am also concerned about how these pollutants may affect my family.

13. I am concerned about how the pollutants held at the Buck site affect my family’s health. For example, I am aware that the state has issued a Fish Consumption Advisory for PCBs and mercury on High Rock Lake, and am aware that these pollutants are contained in the coal ash being stored at the Buck facility. I worry that these pollutants filter into the Yadkin River and High Rock Lake as a result of seeps and leaching from the coal ash pond. My family enjoys fishing, but we would not eat the fish from High Rock Lake because they are contaminated with pollutants. This concerns me, as I want to have a safe place for my family to enjoy fishing.

14. I am also concerned about my family’s exposure to these pollutants while swimming. I believe that High Rock Lake should be a safe place for my family to swim, and I am concerned and upset that it is not.

15. I am concerned that the streams of water flowing from the berms of the coal ash impoundments at the Buck facility could weaken the berms and increase the chances of a major spill into the Yadkin River and High Rock Lake.


16. I am concerned about the possible negative impacts of such a dike failure, which could greatly affect my property value as well as my use and enjoyment of the lake.

17. My interests are fully and adequately represented by the Yadkin Riverkeeper in this proceeding.

I swear/affirm that the foregoing is true and correct to the best of my knowledge, information, and belief. Executed on September 27th, 2013.


Charles Wade Melton

Subscribed and sworn to before me, a notary public, this the 27th day of September, 2013.


Notary Public

My commission expires: 3/28/15.

